

**TOWN OF FRISCO
COUNTY OF SUMMIT
STATE OF COLORADO
ORDINANCE 22 – 06**

AN ORDINANCE AMENDING CHAPTER 171 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING WATER, BY AMENDING SECTION 171-11, CONCERNING WATER RATES AND CHARGES, TO ALLOW FOR REDUCED WATER SERVICE RATES FOR OUT-OF-TOWN PROPERTIES THAT ARE DEED RESTRICTED FOR AFFORDABLE OR WORKFORCE HOUSING, AND BY AMENDING SECTION 171-14, CONCERNING THE INSPECTION AND TESTING OF BACKFLOW PREVENTION DEVICES, TO ESTABLISH REPORTING DEADLINES FOR ANNUAL TESTING AND MANDATORY MINIMUM FINES FOR VIOLATIONS OF TESTING AND REPORTING REQUIREMENTS.

WHEREAS, the Town of Frisco, Colorado (“Town”) is a home rule municipality, duly organized and existing under Article XX of the Colorado Constitution; and

WHEREAS, this ordinance is adopted pursuant to the Town’s home rule authority in order to protect the public health, safety and welfare by enhancing the enforcement of health regulations concerning backflow prevention in the public water system, and to incentivize the provision of deed-restricted affordable or workforce housing in the vicinity of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FRISCO THAT:

Section 1. Subsection 171-11.H. of the Code of Ordinances of the Town of Frisco (the “Code”), concerning water rates and charges, is hereby amended to read as follows:

H. For supplying water to users outside the Town, the charge shall be two (2) times the applicable rate within the Town; provided, however, that for any dwelling unit outside the Town that was in existence as of July 1, 2022, the charge shall be the same as the applicable rate within the Town if the dwelling unit is deed restricted as affordable housing or work force housing.

Section 2. Section 171-2 of the Code, concerning definitions, is hereby amended to amend the definitions of “Accessory Housing Unit” and “Affordable Housing,” and adding a definition of “Work Force Housing” to read as follows:

ACCESSORY HOUSING UNIT – Shall have the meaning set forth in Section ~~180-5~~ 180-9.3 of this Code.

AFFORDABLE HOUSING – Shall have the meaning set forth in Section ~~180-5~~ 180-9.3 of this Code.

WORK FORCE HOUSING – Means a dwelling unit that is restricted in perpetuity to occupancy by individuals meeting the employment and occupancy standards as established from time to time by the Town. Occupancy standards include requirements for primary residency and local employment.

Section 3. Subsection 171-14.A. of the Code, concerning the annual testing of backflow prevention assemblies and methods, inspection, is hereby amended to read as follows:

- A. Backflow prevention assemblies and methods shall be tested by a Certified Cross-Connection Control Technician upon installation and at least annually thereafter in accordance with this subpart A. The test shall be made at the expense of the water customer. Any backflow prevention assemblies or methods that are non-testable shall be inspected at least once annually by a Certified Cross-Connection Control Technician in accordance with this subpart A, also at the expense of the water customer. The annual report of each test or inspection required by this subpart A shall be provided to the Town Water Department on or before September 1 of each year; provided, however, that if the backflow prevention assembly or device is a part of an irrigation system, the annual report of each test or inspection required by this subpart A shall be provided to the Town Water Department on or before July 31 of each year. If any person shall be found guilty of violating any provision of this subpart A, the penalty for the first such violation in any twelve month period shall be a fine of not less than \$250, and the fine for any second or subsequent violation in any twelve month period shall be not less than \$500. Each day during which a failure to test, inspect or submit a report required under this subpart A continues shall be considered a separate and distinct violation.

Section 4. Effective Date. This ordinance shall become effective in accordance with the home-rule Charter of the Town of Frisco, Colorado.

INTRODUCED, PASSED ON FIRST READING AND PUBLICATION AND POSTING
ORDERED THIS _____ DAY OF _____, 2022.

ADOPTED ON SECOND AND FINAL READING AND PUBLICATION BY TITLE
ORDERED THIS _____ DAY OF _____, 2022

TOWN OF FRISCO, COLORADO:

Hunter Mortensen, Mayor

ATTEST:

Deborah Wohlmuth, CMC, Town Clerk